



*The Commonwealth of Massachusetts
Executive Office of Health and Human Services
Division of Health Care Finance and Policy
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NOTICE OF PUBLIC HEARING

Pursuant to the provisions of M.G.L. c. 118G and in accordance with M.G.L. c. 30A, as amended, a public hearing will be held on Wednesday, February 11, 2009 at 10:00 a.m. at the Division of Health Care Finance and Policy, Two Boylston Street, 5th floor, Boston, MA relative to the adoption of amendments to:

114.3 CMR 45.00: TEMPORARY NURSING SERVICES

The proposed amendments establish the maximum prices that temporary nursing agencies may charge to health care facilities effective March 15, 2009. Pursuant to M.G.L. c. 118G, § 7, there are three components to the maximum prices: wages and benefits, administrative expenses, and a profit factor. The regulation establishes maximum prices for services that vary by region, by health care provider (nursing facilities and hospitals) by service type (RNs, LPNs, and CNAs), and by shift (weekday shifts 1, 2 and 3 and weekend shifts 1, 2, and 3. To develop the rates, the Division completed a review of the most recent cost data for 2007 provided by nursing facilities and hospitals for the wage component, and cost data provided by temporary nursing agencies for the administrative component. The Division is not proposing to change the administrative component of 35.43% or the profit factor of 5.31%.

The Division is proposing these amendments to comply with the requirement that the maximum rates be established annually. It is estimated that aggregate annual expenditures by health care facilities will increase by 4.35% as a result of these amendments. Hospital spending will increase by 5.39% and nursing facility spending will increase by 2.7%. The fiscal impact on individual agencies will vary based on the mix of services provided. There is no fiscal impact on cities and towns.

Interested parties are encouraged to submit comments on these amendments. All persons desiring to be heard on this matter are hereby notified to appear at the designated time and place. Persons intending to speak will be afforded an early opportunity to testify if the Division receives notice by 5pm on Tuesday, February 10, 2009. All others will be heard subsequently. Written comments may be sent to Two Boylston Street, Boston MA 02116. Copies of the regulation are available for inspection and/or purchase at the Division of Health Care Finance and Policy, Two Boylston Street, Boston MA 02116 or you can access them free of charge in the Regulations section of the Division's web site located at www.mass.gov/dhcfp.